

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 1798.50US05

Brewer et al.

Confirmation No.: 8486

Application No.: 10/760,040

Examiner: Scott M. Getzow

Filed: January 16, 2004

Group Art Unit: 3762

For: METHOD AND APPARATUS FOR DELIVERING A BIPHASIC DEFIBRILLATION  
PULSE WITH VARIABLE ENERGY

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STATEMENT TO DISQUALIFY COMMONLY OWNED PATENT OR PUBLISHED  
APPLICATION AS PRIOR ART PURSUANT TO MPEP §706.02 (L)(2)

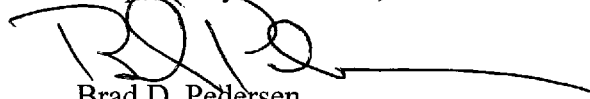
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Application 10/760,040 and U.S. Patent No. 5,891,173 to Brewer were, at the time the invention of Application 10/760,040 was made, owned by, or subject to an obligation of assignment to, Cardiac Science, Inc.

The assignment information for Application 10/760,040 can be found at Reel/Frame 013280/0068, recorded 09/23/2002 (containing assignment of parent application 10/078735 and continuation applications), and for U.S. Patent No. 5,891,173 to Brewer at Reel/Frame 013280/0068, recorded 09/23/2002.

Respectfully Submitted,



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